IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 4392 of 2005

Between:

1 S.D. Prasad, S/o S.D. Asirvadam,
Mandal Revenue Officer,

Sattupalli , Khammam District.
2 M. Padma Rao, S/o. M. Samuel,
Mandal Revenue Officer,

Dammapeta, Khammam District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, rep. by its
Special Secretary, Revenue Department,
Secretariat, Saifabad, Hyderabad.
2 The Special Chief Secretary to Government &
Chief Commissioner of Land Administration,
A.P. Hyderabad.
3 Smt. P.G. Vijaya Lakshmi, Deputy Collector,
C/o. District Collector, Khammam.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly, one in the nature of Writ of Certiorari as under: a) call for the records relating to and connected with the docket order dated 3-3-2005 in O.A.No. 879 of 2005 on the file of the A.P. Administrative Tribunal, Hyderabad and quash holding the same as unsustainable; b) Call for the records relating to and connected with G.O.Ms.No. 1018, Revenue (Ser.I) Department, dated 10-12-2004 and quash or set aside the same to the extent of according promotion to the 3rd respondent in preference to the writ petitioners as Deputy Collector in A.P. Civil Services (Ex.Br.); c) Further direct the respondents No.1 and 2 to forthwith take up consideration of the cases and claims of the writ petitioners for promotion as Deputy Collector in A.P. Civil Services (Ex.Br); and treat the writ petitioners to have been so promoted with effect from 10-12-2004 with all consequential benefits and pass such order or further orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: GP FOR SERVICES-II

The Court made the following:

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ORAL ORDER:- (PER GB,J.)

The Writ petitioners are the applicants before the A.P. Administrative Tribunal. They filed O.A.No.879 of 2005 challenging the proceedings, dated 25.01.2005, passed by the 2nd respondent - Chief Commissioner of Land Administration, Hyderabad, and also promotion of the 3rd respondent as Deputy Collector.

2. The Tribunal issued "Notice Before Admission". Aggrieved by the action of the Tribunal in not granting interim stay, present Writ Petition has been filed seeking appropriate directions.

3. Learned counsel for the petitioners tried to convince this Court that it is a fit case where the Tribunal ought to have admitted the O.A. and grant relief to protect the interest of the petitioners.

4. We have heard the learned counsel for the petitioners and also the learned Government Pleader.

5. Inasmuch as, only notice before admission was ordered by the Tribunal, we are not inclined to interfere with the said order at this moment. We find it desirable that the Tribunal shall dispose of the O.A. within a period of six weeks in view of the urgency involved in the matter.

6. It is however made clear that if any promotions are made in the meanwhile, they are always subject to the result of the O.A.

7. With the direction indicated above, the Writ Petition is accordingly, disposed of. No costs.

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G. BIKSHAPATHY, J

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P.S. NARAYANA, J

Date: 10.03.2005

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To

1 The Special Secretary, Government of Andhra Pradesh, Revenue Department, Secretariat, Saifabad, Hyderabad.
2 The Special Chief Secretary to Government &
Chief Commissioner of Land Administration,
A.P. Hyderabad.
3 Smt. P.G. Vijaya Lakshmi, Deputy Collector,

C/o. District Collector, Khammam.

4 The Registrar, A.P. Administrative Tribunal, Hyderabad.

5 2 CCs to the G.P. for Services-II, High Court of A.P., Hyderabad (OUT).

6 2 CD copies